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SECOND REQUEST

7/30/2007

Date : 7/20/2007

STATUS REQUEST

To:

Gail Hayes

Technology Center 2100, USPTO

fax number: 571-273-8300

From:

Staff

Pisner & Pisner, Attorneys

fax number: 703-842-5340

Voice : 703-322-1432

Re:

Status of April Petition

For:

Message:

Dear Ms. Hayes:

A Petition was filed with your office on April 11, 2007

Applicant has attached the first page of said Petition.

You were contacted in April and you indicated that you had the Petition.

Applicant is now two months past the due date for responding to a "Final Action."

As the Petition indicates, due to problems with the Final Action, we cannot respond to it; therefore, we will be required to pay for at least for a two month extension.

Could you please give us some feedback on the status of your review of the Petition.

Regards,
Gary Pisner, Esq.
ID 34096

Contact Information:

E-mail: gpisner@apts.com

Fax: 703-842-5340

In The United States Patent and Trademark Office

Application Number: 10/532,079

Application Filed on 4/21/2005

April 11, 2007

Applicant: Jacek Marczyk

Title: A Process for the Creation of Fuzzy Cognitive Maps from Monte Carlo Simulation
Generated Meta Model

Art Unit: 2129

Examiner: Wilbert Starks, Jr.

Petition to: Group 2100 Technology Center Director (See MPEP 1002.02(c))

PETITION

Given that said Final Office Action with this application was premature,
Applicant hereby Petitions this Director to require Examiner to withdraw his Final Office
Action dated March 6, 2007, pursuant to MPEP 706.07 and 37 CFR 1.181.

Background of the Petition

1. On June 27, 2006, Wilbert Starks, Jr. (hereinafter "Examiner") issued his first office action, on the above application.
2. After briefly reviewing this first office action, Applicant concluded that Examiner had written his first office action, without reviewing the two books incorporated by reference in both its provisional and formal applications.
3. In late August, Applicant contacted Examiner, by phone, to clarify why it appeared that those two books, which were incorporated by reference, were not considered when the first office action was written.